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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,591	11/20/2001	Kazuhiro Sakata	SON-0518US	8923
466	7590	01/14/2005	EXAMINER	
YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			ISMAIL, SHAWKI SAIF	
			ART UNIT	PAPER NUMBER
			2155	

DATE MAILED: 01/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/988,591	SAKATA, KAZUHIRO	
	<b>Examiner</b>	<b>Art Unit</b>	
	Shawki S Ismail	2155	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☒ Claim(s) 1-14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date ____.  | 6) <input type="checkbox"/> Other: ____.                                    |

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## DETAILED ACTION

1. Claims 1-14 are presented for examination.

References in applicant's IDS form 1449 have been considered.

Applicant's claim for foreign priority is acknowledged.

### *Claim Objections*

2. A series of singular dependent claims is permissible in which a dependent claim refers to a preceding claim which, in turn, refers to another preceding claim. A claim which depends from a dependent claim should not be separated by any claim which does not also depend from said dependent claim. It should be kept in mind that a dependent claim may refer to any preceding independent claim. In general, applicant's sequence will not be changed. See MPEP § 608.01(n).

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant admitted prior art, hereinafter "**AAPA**" and in view of **Suzuki U.S. Patent No. 6,680,675**.

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5. As to claim 1, AAPA teaches a notification system for notifying a user of a processing item at a specific timing in accordance with an information input about the processing item including an expiration date of execution, wherein whether to notify the user of the processing item is determined on the basis of a time difference between current time and the expiration date of execution included in the processing item (Fig. 1, Page 1 line 22 – page 2 line 7).

AAPA does not explicitly teach wherein the notification of the user of a processing item at a specific timing in accordance with an information input about the processing item including position of execution.

Suzuki teaches an electronic system and method for providing an alert of an entry in a to-do list when a user is within a pre-defined proximity location to perform the to-do list item. The mobile terminal includes a GPS interface that allows an automatic detection of the mobile terminal when the automobile is in motion. Using the GPS interface, the mobile terminal periodically compares the position of the user with various to-do list item locations to determine whether the user will pass within a pre-defined proximity metric of the listed item. Whenever a particular criteria is satisfied, the system provides a notification to the user of a potential to-do list item (col. 3, lines 21-40).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Suzuki into AAPA in order to make the system efficient. Notification on the basis of proximity or position from the place of execution would help the user efficiently manage their time and help in completing their tasks in a timely manner. With this service, users no longer

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run the risk of forgetting an errand that could have been efficiently performed during a trip to a destination location (col. 1, lines 14-25).

6. As to claim 2, AAPA teaches a notification system for notifying a user of a processing item at a specific timing in accordance with an information input about the processing item including an execution position and expiration date of execution, comprising:

processing item input means having a function of inputting information about a processing item (Fig. 1, Page 1 line 22 – page 2 line 7);

processing item storage means having a function of storing the processing item input by said processing item input means (Fig. 1, Page 1 line 22 – page 2 line 7);

timepiece means having a function of measuring current time (Fig. 1, Page 1 line 22 – page 2 line 7);

notification determination means having a function of determining whether to notify the user of the processing item, on the basis of a time difference between the current time and the expiration date of execution included in the processing item stored in said processing item storage means and a distance between the current position and the execution position included in the processing item (Fig. 1, Page 1 line 22 – page 2 line 7); and

notification means having a function of notifying the user (Fig. 1, Page 1 line 22 – page 2 line 7).

AAPA does not explicitly teach position measuring means having a function of measuring a current position of a user.

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Suzuki teaches an electronic system and method for providing an alert of an entry in a to-do list when a user is within a pre-defined proximity location to perform the to-do list item. The mobile terminal includes a GPS interface that allows an automatic detection of the mobile terminal when the automobile is in motion. Using the GPS interface, the mobile terminal periodically compares the position of the user with various to-do list item locations to determine whether the user will pass within a pre-defined proximity metric of the listed item. Whenever a particular criteria is satisfied, the system provides a notification to the user of a potential to-do list item (col. 3, lines 21-40).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Suzuki into AAPA in order to make the system efficient. Notification on the basis of proximity or position from the place of execution would help the user efficiently manage their time and help in completing their tasks in a timely manner. With this service, users no longer run the risk of forgetting an errand that could have been efficiently performed during a trip to a destination location (col. 1, lines 14-25).

7. As to claim 3, AAPA teaches a system according to claim 1 as discussed above. AAPA does not explicitly teach that when it is determined whether to notify the user of a processing item whose expiration date of execution is not designated, a distance between the current position and an execution position included in the processing item is used.

Suzuki teaches an electronic system and method for providing an alert of an entry in a to-do list when a user is within a pre-defined proximity location to

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perform the to-do list item. The mobile terminal includes a GPS interface that allows an automatic detection of the mobile terminal when the automobile is in motion. Using the GPS interface, the mobile terminal periodically compares the position of the user with various to-do list item locations to determine whether the user will pass within a pre-defined proximity metric of the listed item. Whenever a particular criteria is satisfied, the system provides a notification to the user of a potential to-do list item (col. 3, lines 21-40).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Suzuki into AAPA in order to make the system efficient. Notification on the basis of proximity or position from the place of execution would help the user efficiently manage their time and help in completing their tasks in a timely manner. With this service, users no longer run the risk of forgetting an errand that could have been efficiently performed during a trip to a destination location (col. 1, lines 14-25).

8. As to claim 4, it contains a similar limitation as seen in claim 3, therefore, it rejected under the same rationale.

9. Claims 5-14 are essentially the server, method, and recording medium for the above mentioned claims (claims 1 and 2) and are thus rejected under the same rationale.

### ***Conclusion***

10. The Prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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- a. Jones U.S. Patent No. 6,313,760 relates to an advance notification system and method for notifying persons in advance of the impending arrival of a transportation vehicle.
  - b. Jones U.S. Patent No. 6,411,891 relates to data communications and information systems and, more particularly, to advance notification systems and methods for notifying users in advance of the impending arrival of a vehicle or user.
  - c. Dussell et al. U.S. Patent No. 6,411,899 relates generally to real time positioning systems and, more particularly, to the use of such systems to control access to computer databases to assist in task scheduling.
  - d. Welch U.S. Patent No. 6,177,905 relates to features of mobile user devices, such as Location-triggered reminder.
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S. Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.
- If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public



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PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail  
Patent Examiner  
January 7, 2005



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SUPERVISORY PATENT EXAMINER